

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SHARON DIXON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05cv326-SRW
)	WO
RAVE MOTION PICTURES, INC.,)	
et al.,)	
)	
Defendants.)	

ORDER ON MOTIONS

On April 11, 2006, the court held a hearing on plaintiff's motion to compel (Doc. #22), which it agreed to reconsider after initially denying the motion, and on defendant's motion to compel (Doc. # 29). Upon consideration of the motions, and the matters discussed at the hearing, it is

ORDERED that the motions are each GRANTED in part and DENIED in part as noted at the hearing. It is further specifically

ORDERED that defendants' motion to compel, to the extent that it asks the court to compel plaintiff to identify by name and address every doctor, therapist, counselor or other professional that she has seen or consulted for the last seven years, is GRANTED on two grounds: (1) plaintiff did not file a response or opposition to the motion as required; and (2) defendants' request does not seek disclosure of any confidential communication, only the names and addresses of health care providers. The court notes that there is no doctor-patient privilege under federal law, United States v. Moore, 970 F.2d 48, 50 (5th Cir. 1992), other

than the privilege for confidential communications between licensed psychotherapists, psychiatrists, psychologists and social workers made in the course of diagnosis or treatment that has been recognized by the Supreme Court under Rule 501 of the Federal Rules of Evidence. See Jaffee v. Redmond, 518 U.S. 1, 15 (1996). Plaintiff's counsel represented at the hearing that his client had not seen or consulted any mental health professional during the relevant period. However, even in the absence of any privilege, the court finds that the request is overbroad, and it will limit disclosure to the names and addresses of medical providers who have treated plaintiff in the last four years.

DONE, this 11th day of April, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE